

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

JACOB PETERSON,)	No. 2:12-cv-00941JCC
)	
Plaintiff,)	
)	
v.)	DEFENDANT'S ANSWER AND
)	AFFIRMATIVE DEFENSES
ALLIANCEONE RECEIVABLES)	
MANAGEMENT, INC.,)	
)	
Defendant.)	
_____)	

In response to the Complaint filed herein, the Defendant, **ALLIANCEONE
RECEIVABLES MANAGEMENT, INC.**, answers as follows:

**I.
ANSWER**

Answering Paragraph 1, the Defendant denies any violations.

Answering Paragraph 2, the Defendant denies any violations but admits this

1 Court has jurisdiction to determine if the case should be dismissed.

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3 Answering Paragraph 3, the Defendant admits.

4 Answering Paragraph 4, the Defendant admits.

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6 Answering Paragraph 5, the Defendant lack sufficient information to admit or
7 deny and therefore denies.

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9 Answering Paragraph 6, the Defendant denies.

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11 Answering Paragraph 7, the Defendant admits.

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13 Answering Paragraph 8, the Defendant admits Plaintiff is a natural person but
14 otherwise denies.

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16 Answering Paragraph 9, the Defendant denies.

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18 Answering Paragraph 10, the Defendant admits.

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20 Answering Paragraph 11, the Defendant admits that Plaintiff entered into an
21 Apprenticeship Agreement, but states that the document speaks for itself.

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23 Answering Paragraph 12, the Defendant lacks sufficient information to admit
24 or deny and therefore denies.

25
26 Answering Paragraph 13, the Defendant admits that a letter was sent by
27 Defendant to Plaintiff, states that the document speaks for itself, and denies that the
28 obligation is a "debt" as defined by the FDCPA.

1 Answering Paragraph 14, the Defendant lacks sufficient information to admit
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3 or deny and therefore denies.

4 Answering Paragraph 15, the Defendant lacks sufficient information to admit
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6 or deny and therefore denies.

7 Answering Paragraph 16, the Defendant admits that a letter was sent by
8
9 Defendant to Plaintiff, states that the document speaks for itself
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11 Answering Paragraph 17, the Defendant lacks sufficient information to admit
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13 or deny and therefore denies.

14 Answering Paragraph 18, the Defendant admits that a lawsuit was filed in state
15
16 court, is still pending, and that the prayer for relief includes a request for judgment,
17 fees and costs.

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19 Answering Paragraph 19, the Defendant denies.

20 Answering Paragraph 20, the Defendant denies.

21
22 **Count I**

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24 Answering Paragraph 21, the Defendant admits and denies as previously set
25 forth.

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27 Answering Paragraph 22 and Plaintiff's Prayer for Relief, Defendant denies.

28 **Count II**

1 Answering Paragraph 23, the Defendant admits and denies as previously set
2 forth.
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4 Answering Paragraph 24 and Plaintiff's Prayer for Relief, Defendant denies.
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6 **Count III**

7 Answering Paragraph 25, the Defendant admits and denies as previously set
8 forth.
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10 Answering Paragraph 26 and Plaintiff's Prayer for Relief, Defendant denies.
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14 **II.**
15 **AFFIRMATIVE DEFENSES AND SET-OFFS**

- 16 1. The obligation at issues is not a "debt" within the meaning of the FDCPA..
17
18 2. The claimed violations do not meet the "materiality" test adopted by the Ninth
19 Circuit.
20
21 3. Failure of Plaintiff to mitigate damages.
22
23 4. Contributory negligence.
24
25 5. Set off against any amount owing by Plaintiff to Defendant.
26

27 **WHEREFORE**, having answered Plaintiff's Complaint, Defendant prays for
28

1 the following relief:

- 2
- 3 1. The Complaint of the Plaintiff be dismissed with prejudice;
- 4 2. Judgment be entered for any and all amounts owed by Plaintiff.
- 5
- 6 3. Reasonable costs and attorneys' fees incurred in the defense of this suit
- 7 be reimbursed; and
- 8
- 9 4. For such other and further relief as the Court may deem just.
- 10
- 11

12 DATED this 7th day of August, 2012.

13

14 LUKE, CASTEEL & OLSEN, PSC

15

16 /s/ Kimberlee Walker Olsen

17 Kimberlee Walker Olsen, WSBA #28773

18 Attorney for Defendant AllianceOne

19 Receivables Management, Inc.

20 kolsen@lukecasteel.com

21 Ph: 425-744-0411

22 Fax: 425-771-3490

23 **CERTIFICATE OF SERVICE**

24

25 I hereby certify that on August 7th, 2012, I electronically filed the foregoing with the

26 Clerk of the Court using the CM/ECF System which will send notification of such filing to the

27 following:

28

DEFENDANT'S ANSWER AND
AFFIRMATIVE DEFENSES - 5
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1 Jon N. Robbins
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4 /s/ Kimberlee Walker Olsen
5 Kimberlee Walker Olsen, WSBA #28773
6

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DEFENDANT'S ANSWER AND
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